

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61773 of 2024

Arising Out of PS. Case No.-240 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

1. Sharda Devi wife of Late Ganesh Das village- Navtoliya Jagdishpur, P.S.- Jagdishpur, Dist.- Bhagalpur
2. chanda Devi Wife of Late kusho Harijan @ Kishore Harijan village- Navtoliya Jagdishpur, P.S.- Jagdishpur, Dist.- Bhagalpur
3. Bishundeo Harijan @ Bishundev Harijan son of Late Ganesh Das @ Rajendra Mandal village- Navtoliya Jagdishpur, P.S.- Jagdishpur, Dist.- Bhagalpur
4. Rajendra Mandal @ Rajendra Das son of Late Sallo Das village- Navtoliya Jagdishpur, P.S.- Jagdishpur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey
For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-10-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 201, 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioner no.1 and 3 have antecedent of one case and petitioner no.2 and 4 are persons with clean antecedent and the informant alleges that his son was in love with Chanda Devi (Petitioner no.2) and had solemnized his marriage with her, thereafter



alleges that his son was kept at Navtoliya i.e. the parental home of Chanda Devi for two years and when informant went to bring back his son, he was assaulted and ousted, his son also used to say that these accused persons want to kill him. It is next alleged that on 04.06.2023 the accused persons assaulted and killed his son and hanged his body to give it a colour of suicide.

4. The learned counsel submits that petitioners have been falsely implicated in the instant case by the informant based on suspicion. It is next submitted that petitioner no.2 is wife of the deceased and no wife would kill her own husband and thus would become a widow. It is also submitted that the deceased used to take ganja, on which, there was dispute in between the deceased and petitioner no.2. It is also submitted that the deceased on account of said dispute committed suicide. It is next submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Jagdishpur P.S. Case No.240/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

8. It is further made clear that if charge sheet is submitted connecting the petitioners with the offence, in that event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

